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August 22, 2018

Via ECF

Hon. Denis R. Hurley
United States District Court
Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, NY 11722

**Re: Long Island Neurosurgical Associates, P.C. v. Cigna Corporation,
Civ. No. 2:18-cv-04107-DRH-AYS**

Your Honor:

This law firm represents defendant Cigna Corporation (“Cigna”) in the above-referenced action. I write pursuant to Your Honor’s Individual Practice Rules to request a pre-motion conference with respect to Cigna’s contemplated motion to dismiss Plaintiff Long Island Neurosurgical Associates’ Complaint.

We have discussed the matter with Plaintiff’s counsel, and they have indicated that they intend to file an Amended Complaint. The Amended Complaint will be filed on September 21, 2018, if that date is acceptable to the Court. At that point, Cigna will be able to assess whether it intends to answer the Amended Complaint or move to dismiss, in which case a briefing schedule could be set. At this stage, however, because Plaintiff intends to amend the Complaint, there appears to be no need for Cigna to answer or otherwise respond to the original Complaint, unless the Court directs otherwise. Accordingly, we request that Cigna’s time to respond to the Complaint be held in abeyance until the Amended Complaint is filed. As noted above, we have conferred with Plaintiff’s counsel, and they have graciously consented to this request.

We thank the Court for its kind attention to this matter. Please do not hesitate to have the Court’s staff contact me with any questions or if we may be of any service to the Court.

Respectfully submitted,

s/ E. Evans Wohlforth, Jr.
E. Evans Wohlforth, Jr.

jrh
Enclosure

cc: All Counsel of Record (*via ECF*)